# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

AFFYMETRIX, INC., a Delaware corporation,	) ) )
Plaintiff/Counter-Defendant,	)
v.	) Civil Action No. 04-901-JJF
ILLUMINA, INC., a Delaware corporation,	)
Defendant/Counter-Plaintiff.	) ) )

#### **NOTICE OF SERVICE**

PLEASE TAKE NOTICE that on this 4<sup>th</sup> day of January, 2006, copies of the following documents, ILLUMINA INC.'S SECOND SET OF REQUESTS FOR ADMISSION TO AFFYMETRIX, INC. and ILLUMINA'S FIFTH SET OF INTERROGATORIES TO AFFYMETRIX, were served on counsel as indicated:

#### VIA HAND DELIVERY

Jack B. Blumenfeld, Esq. MaryEllen Noreika, Esq. Morris Nichols Arsht & Tunnell 1201 Market Street Wilmington, DE 19801

## **VIA FACSIMILE**

Daniel R. Reed, Esq. Affymetrix, Inc. 6550 Vallejo Street, Suite 100 Emeryville, CA 94608 510.428.8500 Fax 510.428.8583

Dated: January 4, 2006 /s/Ric

/s/ Richard K. Herrmann

Richard K. Herrmann (#405) Mary B. Matterer (#2696) MORRIS, JAMES, HITCHENS & WILLIAMS LLP 222 Delaware Avenue, 10<sup>th</sup> Floor Wilmington, Delaware 19801 (302) 888-6800

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Attorneys for Defendant ILLUMINA, INC.

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 4<sup>th</sup> day of January, 2006, I caused to be electronically filed the foregoing document, **NOTICE OF SERVICE**, with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

Jack B. Blumenfeld, Esq. MaryEllen Noreika, Esq. Morris Nichols Arsht & Tunnell 1201 Market Street Wilmington, DE 19801

Additionally, I hereby certify that on the 4<sup>th</sup> day of January, 2006, the foregoing document was served via facsimile on the following non-registered participants:

Daniel R. Reed, Esq. Affymetrix, Inc. 6550 Vallejo Street, Suite 100 Emeryville, CA 94608 510.428.8500 Fax 510.428.8583

/s/ Richard K. Herrmann

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